

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------------|---|-------------------|
| KATHY M. FLOWERS, |) | 4:04CV3033 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | MEMORANDUM |
| |) | AND ORDER |
| JO ANNE B. BARNHART, |) | |
| Commissioner of Social Security |) | |
| Administration, |) | |
| |) | |
| Defendant. |) | |

Plaintiff's counsel has filed a Motion for Leave to Amend Application Under the Equal Access to Justice Act (filing 29) due to mathematical errors that allegedly appear in Plaintiff's original Application (filing 26). I shall grant Plaintiff's motion and allow Defendant additional time to submit a response to Plaintiff's Application.

IT IS ORDERED:

1. Plaintiff's Motion for Leave to Amend Application Under the Equal Access to Justice Act (filing 29) is granted;
2. Plaintiff's Amended Application Under the Equal Access to Justice Act with appendix and exhibit (filing 29, attachments 1-3) shall be deemed the operative Application and Plaintiff's original Application Under the Equal Access to Justice Act (filing 26) is stricken;
3. Defendant shall submit a response to Plaintiff's Application Under the Equal Access to Justice Act on or before May 6, 2005.

DATED this 25th day of April, 2005.

BY THE COURT:
s/Richard G. Kopf
United States District Judge